

1 SHEILA POLK, COUNTY ATTORNEY
2 JEFFREY G. PAUPORE, SBN 007769
3 STEVEN A. YOUNG, SBN016838
4 Deputy County Attorney
5 YCAO@co.yavapai.az.us
6 Attorneys for STATE OF ARIZONA

V REISINGER

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

8 **IN AND FOR THE COUNTY OF YAVAPAI**

9 **STATE OF ARIZONA,**

10 Plaintiff,

11 vs.

12 **STEVEN CARROLL DEMOCKER,**

13 Defendant.

CAUSE NO. P1300CR201001325

**STATE'S MOTION TO DETERMINE
ADMISSIBILITY OF DEFENSE
EXPERT GREGG CURRY**

Assigned to Hon. Gary Donahoe

**EXPEDITED HEARING
REQUESTED**

14 The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and
15 her deputy undersigned, hereby moves the Court for a determination whether defense expert
16 Gregg Curry may testify at trial in this matter. This motion is supported by the following
17 memorandum of points and authorities.

18 **MEMORANDUM OF POINTS AND AUTHORITIES**

19 Facts

20 On August 10, 2011, Defendant filed his Motion for Rule 15.9 Re-Appointment of Gregg
21 Curry and Navigant Consulting, Inc. A copy is attached hereto as exhibit 1. Defendant stated that
22 due to an ongoing funding dispute, the current contract administrator had denied funding for Curry
23 and Navigant. On December 22, 2011, the Court granted this motion. A copy of the Court's

1 December 22, 2011 Order is attached hereto as Exhibit 2. On January 30, 2012, Defendant advised
2 by motion that "there is a continuing funding issue regarding Mr. Curry." Attached hereto as Exhibit
3 3 is Defendant's Motion for Extension of Time to File Expert Reports. Although Defendant stated
4 that the continued funding issue would "be addressed in a separate pleading," no such pleading was
5 filed, or if filed, it was never copied to the State.
6

7 At a hearing on February 8, 2012, Defendant's motion for extension of time to file expert
8 reports was addressed. Counsel for Defendant indicated that Curry and Navigant were owed
9 \$44,000.00 and that Curry and Navigant refused to do any further work on this case until this
10 amount was paid. This was the first time that the State was made aware of the magnitude of the
11 "continued funding issue." The Court indicated that if this matter was not resolved, presumably
12 by the parties, the Court may strike the State's forensic accounting expert. Attached hereto as
13 Exhibit 4 is the Court's Ruling dated February 10, 2012.
14

15 In order to ascertain information in hopes of resolving the funding issue, counsel for the
16 State on February 9, 2012 requested from counsel for Defendant copies of any and all fee
17 agreements between Curry and present and former defense counsel and present and former
18 contract administrators. Defense counsel have avowed that they have been working diligently on
19 this issue but no information has been received to date. Attached hereto as Exhibit 5 is a copy of
20 e-mail communications between the parties on this issue.
21

22 Law & Argument

23 Trial in this matter is set to begin with jury selection on March 26, 2012. Significant
24 disclosure made by the State indicates that Defendant had a strong financial motive for the
25 homicide of his ex-wife. The forensic accounting expert long disclosed by the State is a critical
26 witness for the State's case.

1 The State acknowledges that constitutional considerations of due process dictate that the
2 Defendant be provided with an adequate defense with the assistance of necessary expert
3 witnesses. Curry is such a necessary defense expert witness. The State is interested in a fair trial
4 for both parties and the resolution of the continued funding issue is a necessity to this goal.
5 Simply striking the State's expert if the funding issue is not resolved will clearly prejudice the
6 State and may prejudice the Defendant as well.
7

8 The Court may appoint such expert witnesses as are reasonably necessary to adequately
9 present a defense at trial. A.R.S. § 13-4013(B). The Court's Order re-appointing Curry and
10 Navigant indicates that Curry is reasonably necessary to adequately present a defense at trial. *See*
11 *Exhibit 2*. A.R.S. § 13-4013(C) states that compensation for expert witnesses shall be at such
12 rates as the county contracts for such services. In interpreting the predecessor to this statute, the
13 Arizona Supreme Court stated that the "statute gives the court the power to award such fees in
14 'such amount as the court in its discretion deems reasonable, considering the services
15 performed.'" *Alexander v. Deddens*, 106 Ariz. 172, 173, 472 P.2d 41 (1970).
16

17 Trial in this matter is fast approaching. A necessary defense expert has a fee dispute that
18 has not been resolved. The Court has the power and the duty to address this issue pursuant to
19 A.R.S. § 13-4013. The State is requesting a hearing be set as soon as possible where it is
20 anticipated that the present contract administrator will be subpoenaed to provide testimony
21 relevant to resolving this funding issue.
22

23 **RESPECTFULLY SUBMITTED** this 21 day of February, 2012.

24 **Sheila Sullivan Polk**
25 **YAVAPAI COUNTY ATTORNEY**

26 By: Steven A. Young

Steven A. Young
Deputy County Attorney

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344 Facsimile: (928) 771-3110

COPY of the foregoing **Emailed** this

24 day of February, 2012, to:

Honorable Gary Donahoe

Division 1

Yavapai County Superior Court

Via email to: gdonahoe@courts.az.gov

Division 1

Via email to: Cheryl Wagster: CWagster@courts.az.gov

Craig Williams

Attorney for Defendant

P.O Box 26692

Prescott Valley, AZ 86312

Via email to: craigwilliamslaw@gmail.com

Greg Parzych

Co-counsel for Defendant

2340 W. Ray Rd., Suite #1

Chandler, AZ 85224

Via email to: gparzlaw@aol.com

By: 

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2011 AUG 11 AM 8:57

SANDRA K HARKHAM, CLERK
BY: Kelly Gresham

LAW OFFICE OF GREGORY T. PARZYCH

Gregory T. Parzych, Bar ID 014588
2340 West Ray Road, Suite 1
Chandler, Arizona 85224
Telephone (480) 831-0200
Attorney for the Defendant
gparzlaw@aol.com

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
INA AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA

Plaintiff,

vs.

STEVEN CARROLL DEMOCKER

Defendant.

No. P1300CR201001325

MOTION FOR RULE 15.9
RE-APPOINTMENT OF GREGG
CURRY AND NAVIGANT
CONSULTING INC.
(Oral Argument Requested)

COMES NOW THE DEFENDANT, by and through his attorney undersigned, and respectfully moves this Court pursuant to Rule 15.9, Arizona Rules of Criminal Procedure for an order re-appointing financial forensic expert Gregg Curry and Navigant Consulting Inc. to assist in the defense of Mr. DeMocker;

AS GROUNDS THEREFORE, the defendant respectfully submits that on August 18, 2009, prior defense counsel filed a Motion under seal in CR 2008-1339 (the prior case number for Counts 1 and 2 in this case) to appoint Gregg Curry and Navigant Consulting Inc. A copy of his credentials was attached to the original Motion. The Motion was granted under seal on August 10, 2009. Due to an ongoing funding dispute, current defense counsel has been denied funding from the current administrator to continue consulting with Mr. Curry and Navigant Consulting Inc. It is imperative that defense counsel be allowed to continue to consult with Mr. Curry and fund Mr. Curry and Navigant Inc. at the previously authorized rate.

Mr. Curry is an experienced financial forensic expert and certified in financial fraud

1 forensics. He already has detailed knowledge of this case through his work from his prior
2 appointment to this case. The State asserts that financial motive was one of the key
3 reasons, if not the key reason, for the Murder and Burglary counts alleged against Mr.
4 DeMocker. The State has recently disclosed hundreds of new pages relating to its
5 allegation of financial motive. In order to effectively represent Mr. DeMocker, defense
6 counsel need to be able to continue with the appointment of Mr. Curry and Navigant Inc. so
7 that Mr. Curry may review the new disclosure and provide consultation, expert advice and
8 testimony if required. Given Mr. Curry's expertise and knowledge of this case, defense
9 counsel moves to re-appoint Mr. Curry at the previously approved rate of funding.

10

11

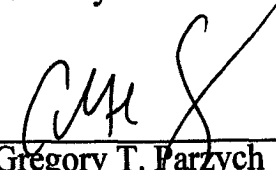
12

Respectfully submitted this 10 day of August, 2011.

13

14

By


Gregory T. Parzych

15

16

Original of the foregoing pleading
filed this 10 day
of August, 2011, to:

17

18

Clerk of Court
Yavapai County Superior Court
120 South Cortez St.
Prescott, Arizona 86303

20

21

Copy of the foregoing pleading
mailed this 10 day
of August, 2011, to:

22

23

The Honorable Warren R. Darrow
Jeffrey Paupore, Steve Young, Office of the Yavapai County Attorney

24

Craig Williams

25

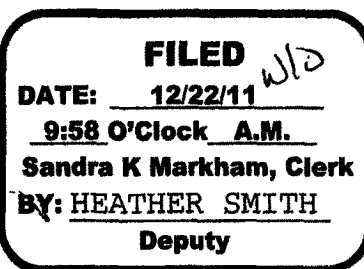
26

By


Gregory T. Parzych

27

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI



DIVISION: VISITING JUDGE
HON. GARY E. DONAHOE
CASE NO. P1300CR201001325

SANDRA K MARKHAM, CLERK
BY: HEATHER SMITH, DEPUTY CLERK
DATE: DECEMBER 22, 2011

TITLE:
STATE OF ARIZONA
(Plaintiff)

COUNSEL:
Yavapai County Attorney (e)
(For Plaintiff)

vs.

STEVEN CARROLL DEMOCKER
(Defendant) (D-1)

Craig Williams (e)
Greg Parzych (e)
(For Defendant)

HEARING:
Status Conference/Oral Argument

COURT REPORTER:
Heidi Callahan

START TIME: 9:58 a.m.

APPEARANCES: Jeff Paupore, Counsel for State
Craig Williams Counsel for Defendant
Greg Parzych, Co-Counsel for Defendant
Steven Carroll Democker, Defendant in custody
James J. Belanger present with John Sears

This is the time set for a hearing on all pending motions. The Court provides copies of his notes to Counsel.

The Court addresses and Counsel discuss the States Motion for Deposition of John Sears.

IT IS ORDERED taking the State's Motion for Deposition of John Sears under advisement.

Next, the Court hears arguments regarding Defendant's Motion to Dismiss for Prosecutorial Misconduct or, in the Alternative, Motion to Disqualify the Yavapai County Attorney's Office.

Counsel Craig Williams addresses the Court and requests an Evidentiary Hearing if Court is inclined to deny the motions.

IT IS ORDERED denying both Defendant's Motion to Dismiss for Prosecutorial Misconduct and Defendant's Alternative Motion to Disqualify the Yavapai County Attorney's Office.

Counsel for Defendant, Williams requests a stay to allow him to file a special action with the Court of Appeals. Although the Court does not feel a stay is necessary at this time, **IT IS ORDERED** denying the motion for a stay.

The Court addresses the Motion for Change of Venue.

Counsel for Defendant, Craig Williams, addresses the motion.

IT IS ORDERED denying the Motion for Change of Venue without prejudice to Defendant's right to renew it in the event a qualified jury panel cannot be selected by the Court.

The Court addresses Defendant's Motion to Sever Counts.

Counsel for Defendant, Greg Parzych, addresses the Court.

For the reasons stated on the record, **IT IS ORDERED** denying Defendant's Motion to Sever Counts.

The Court addresses the State's Motion to Amend Indictment and notes that there is no opposition. Therefore, **IT IS ORDERED** granting the State's Motion to Amend the Indictment.

The Court addresses the State's Motion Pursuant to Rule 9.3. Counsel for State has filed a motion to withdraw the motion; therefore, the motion is deemed withdrawn.

The Court addresses Defendant's Motion for Rule 15.9 Re-appointment of Greg Curry and Navigant Consulting.

Counsel for Defendant, Mr. Parzych, addresses the motion.

IT IS ORDERED granting Defendant's Motion to Re-appoint Greg Curry and Navigant Consulting. If the Public Defender will not accept this minute entry as the Court's order, counsel for Defendant shall submit a form of order to the Court for signature.

State requests that the counsel be allowed to copy the Court with any filings by email to allow the Court to receive the documents in a timely matter. Court will look into the request.

Court addresses the Motion *in Limine* Precluding Character Evidence in the death of James Knapp.

Counsel for the State argues the motion as does Craig Williams for Defendant.

For the reasons stated on the record, **IT IS ORDERED** denying the State's Motion Precluding Character Evidence in the Death of James Knapp without prejudice to the State's right to make appropriate objections to particular items of evidence that may be offered.

Court addresses the Defendant's Request for a Deposition of Mike Sechez and Defendant's Request for a Deposition of Detective Doug Brown.

IT IS ORDERED that Defendant's Request for a Deposition of Mike Sechez and Defendant's Request for a Deposition of Doug Brown are both **DENIED**, but the Court orders both witnesses to appear for an interview on the topic of how DNA sample #603 got under the fingernails of the victim. Neither witness is required to speculate, guess or offer any opinions on the subject if they have no foundation for it.

The Court addresses Defendant's Request for a Deposition of Dr. Phil Keen.

IT IS ORDERED denying Defendant's Request for a Deposition of Dr. Phil Keen, but ordering Dr. Keen to appear for an interview. The fee to be paid to Dr. Keen should be resolved by the indigent defense administrator and Dr. Keen.

Court addresses State's Motion for Admissible Evidence.

IT IS ORDERED denying the State's motion as to the Sorenson testing for bicycle DNA. The balance of the motion is **DENIED** without prejudice to either party's right to file a brief (no more than six pages) motion for reconsideration of any prior ruling setting forth the changed circumstances or new information that the Court should consider. The Court requests that attached to the motion shall be a copy of the prior ruling and the transcript, if any, of any argument or hearing regarding the ruling.

Court addresses the State's Request to Determine Admissibility of Statements.

Court and counsel discuss the motion. Based on the information received, the Court finds that it is not necessary to conduct a voluntariness hearing. The voluntariness of the statements Defendant made during the first interview is not contested and the court has previously ruled that Defendant's statements made during the second interview were voluntary. The issue is whether the statements during the free talk interview can be used against Defendant in trial. Therefore, the Court deems the State's Request to Determine Admissibility of Statements to be moot. Counsel may brief the issue of the admissibility of the free talk statements to the Court. Whichever Counsel files the motion shall submit a copy of the relevant portions of the free talk transcript attached to the motion for the Court's review.

Counsel discuss State's Motion for *In Camera* Inspection of Records. Mr. Paupore advises that Court that the motion was filed because a public records request was made for the photographs. Counsel for Defendant objects to the release of any photographs prior to the start of trial.

IT IS ORDERED directing the State to deny the public records request for the reasons stated on the record with the main reason being the Court's concern regarding picking an impartial jury panel.

Court and Counsel address the trial schedule. The Court suggests a trial date of February 20, 2012.

Counsel Parzych addresses the Court regarding a capital trial he is scheduled to take part in in Maricopa County with Judge O'Conner in February, 2012.

Court takes a brief recess at 11:39 a.m.

Court resumes at 11:52 a.m.

Counsel Williams requests an April 11, 2012 trial date. He always waives time.

The Court is informed that not all interviews have been conducted. The Court is advised that there are a number of expert witnesses, some who are out of state, that still need to be interviewed.

Counsel for the State will be ready for trial when the date is set; however, State's counsel does not want to force Defendant to begin in February if he is not ready.

The Court suggests a Monday through Thursday trial schedule. The Court is advised that trials in Prescott are generally held Tuesday through Friday, with Monday being used for law and motion day.

Counsel for State will need approximately 32 trial days. Counsel for Defendant will need approximately 16 to 20 trial days. Both Counsel indicate the number of trial days are estimates only at this point.

The Court notes that this case will be tried in Prescott in this Courtroom, Division 1.

The Court will select a trial date and will generate a minute entry. The Court will adjust the trial deadlines if necessary.

Cheryl will email counsel to inform them as to whether or not it would be appropriate to email the Court directly or whether they should email through Cheryl only.

Counsel for Defendant, Mr. Parzych, advises the Court that he will be unavailable the week of March 12, 2012.

The Court will contact Judge O'Conner regarding Mr. Parzychs' trial conflict.

The Court will also consider whether or not the trial days should be Monday through Thursday or Tuesday through Friday.

CC: Hon. Gary E. Donahoe (e)
YCSO – Detention Records (e)

Victim Services (e)

Steptoe & Johnson (e)

Melody Harmon (e)

De La Torre Law Office (e)

William Culbertson (e)

James J. Belanger, 2800 N. Central Avenue, Ste 1200, Phoenix, AZ 85004

END TIME: 12:09 p.m.

2012 JAN 30 PM 4:48 ✓
SANDERSON, JOHN
BY: V REISINGER

STATE OF ARIZONA,) **P1300CR201001325**
)
)
 Plaintiff,)
)
)
 vs.) **MOTION FOR EXTENSION OF TIME TO**
) **FILE EXPERT REPORTS; and ORDER**
)
 STEVEN DEMOCKER,)
)
)
 Defendant.)
)
)
) **(Hon. Gary E. Donahoe)**

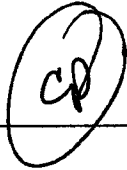
RESPECTFULLY SUBMITTED this 30th day of January, 2012.

Craig Williams
Attorney at Law

Original delivered via the Clerk's Office to:
Hon. Gary E. Donahoe, Judge of the Superior Court,
gdonahoel@courts.az.gov

Jeff Paupore, Yavapai County Attorney's Office
Greg Parzych, via e-mail.
The Defendant

By: _____

A handwritten signature, possibly "CP", is enclosed within an oval and positioned over the signature line.

SUPERIOR COURT, STATE OF ARIZONA, IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA, <p align="center">Plaintiff,</p> <p align="center">-VS-</p> STEVEN DEMOCKER, <p align="center">Defendant.</p>	Case No. P1300CR201001325 <p align="center">RULING</p>	<p align="center">FILED</p> <p align="center">DATE: FEB 10 2012</p> <p align="center">2 O'Clock P.M.</p> <p align="center">SANDRA K. MARKHAM, CLERK</p> <p align="center">BY: SHEETAL PATEL Deputy</p>
---	--	--

HONORABLE GARY E. DONAHOE DIVISION VISITING JUDGE	BY: Cheryl Wagster Judicial Assistant DATE: February 10, 2012
--	---

Following an evidentiary hearing on February 8, 2012, the Court took under advisement the State's "Motion to Admit Defendant's July 21, 2009 Interview." The Court has considered the pleadings and the evidence presented at the hearing, including the exhibits.

Defendant contends that the interview was a "free talk" and, therefore, his statements should be deemed involuntary. The evidence does not support Defendant's position. Both Defendant's former defense attorney, John Sears, and the former prosecutor, Joe Butner, agreed that the July 21, 2009 interview was not a "free talk" because there was no grant of use or transactional immunity and no other benefit was promised Defendant as an incentive for Defendant to provide the information. In Mr. Butner's words, there was no *quid pro quo* for the information provided by Defendant. Defendant, through his attorney, approached the prosecutor and voluntarily gave an investigative interview in hopes that the information would exculpate him of the murder of Carol Kennedy and inculpate other persons for the murder.

In *State v. Boggs*, 218 Ariz. 325, 180 P.3d 392, ¶ 44 (2008), the court wrote:

Only voluntary statements made to law enforcement officials are admissible at trial. *Id.* at 127 ¶ 30, 140 P.3d at 910. A defendant's statement is presumed involuntary until the state meets its burden of proving that the statement was freely and voluntarily made and was not the product of coercion. *State v. Arnett*, 119 Ariz. 38, 42, 579 P.2d 542, 546 (1978). The state meets its burden "when the officer testifies that the confession was obtained without threat, coercion or promises of immunity or a lesser penalty." *State v. Jerousek*, 121 Ariz. 420, 424, 590 P.2d 1366, 1370 (1979). In determining whether a confession is voluntary, we consider whether the defendant's will was overcome under the totality of the circumstances. *State v. Newell*, 212 Ariz. 389, 399 ¶ 39, 132 P.3d 833, 843 (2006). To find a confession involuntary, we must find both coercive police behavior and a causal relation between the coercive behavior and the defendant's overborne will. *Colorado v. Connelly*, 479 U.S. 157, 165-66, 107 S.Ct. 515, 93 L.Ed.2d 473 (1986). In this case, the court did not abuse its discretion in ruling the statements voluntary.

In this case, there was absolutely no evidence of coercive police behavior. Defendant wanted to give the information to the prosecutor, waived the attorney-client privilege as to the events surrounding the two anonymous emails and the voice-in-the-vent story. Other than agreeing to conduct the interview outside the jail and having the County Attorney instead of the Sheriff investigate the facts related by Defendant, the State promised nothing to obtain Defendant's statement. Based on the evidence presented, the Court finds and concludes that the State has met its burden of proving that Defendant's statements during the July 21, 2009 interview were freely and voluntarily made and that there was no police coercion that overcame Defendant's will. Therefore,

IT IS HEREBY ORDERED granting the State's "Motion to Admit Defendant's July 21, 2009 Interview."

IT IS FURTHER ORDERED that if the State intends to offer into evidence any portion of a transcript of the July 21, 2009 interview, the transcript shall have been prepared by a certified court reporter from the audio recording.

Also pending before the Court are the State's "Motion for Reconsideration" and Defendant's "Motion for Extension of Time to File Expert Reports." The Court has considered the pleadings and the information provided by counsel on February 8, 2012.

IT IS FURTHER ORDERED as to the State's "Motion for Reconsideration:"

- (1) UBS Emails and Defendant's cell phone records: the motion is granted without prejudice to Defendant's right to make an appropriate objection after the Court has had the opportunity to evaluate the proposed evidence in the context of the new charges and the evidence that has been presented at trial.
- (2) Defendant's statements: the prior rulings (*see* transcript dated March 30, 2010) regarding the testimony of Ms. O'Non are affirmed.
- (3) UBS computer time log: the motion is granted.
- (4) American Express and Bank of America records: the motion is granted without prejudice to Defendant's right to seek preclusion in the event the payment issue for Defendant's proposed forensic accountant is not resolved.
- (5) Recorded jail calls: the motion is denied.
- (6) Search for carbon monoxide: affirming the prior rulings; therefore, the motion is denied.

State v. DeMocker
P1300CR201001325
Page Three
February 10, 2012

IT IS FURTHER ORDERED regarding Defendant's "Motion for Extension of Time to File Expert Reports," (1) granting an extension for the disclosure of the report of Gregg Curry for ten business days from the date that the \$43,000 payment issue is resolved, (2) denying the motion regarding Mark Cardwell because no report is anticipated, and (3) granting an extension for the disclosure of the report of Mike O'Kelly to February 22, 2012. No further extensions will be granted.

cc: Jeffrey Paupore – Deputy Yavapai County Attorney
LCraig Williams – P.O. Box 26629, Prescott Valley, AZ 86312
vGreg Parzych – 222 N. Central Avenue, Phoenix, AZ 85004
vChris Moeser – Steptoe & Johnson, 201 E. Washington Street, Suite 1600, Phoenix, AZ 85004
Daniela H. De La Torre – De La Torre Law Office, 245 W. Roosevelt, Suite A,
Phoenix, AZ 85003
Melody Harmon – Law Office of Melody G. Harmon, 2942 N. 24th Street, Suite 114,
Phoenix, AZ 85016
Victim Services

Steve Young

From: Jeff Paupore
Sent: Friday, February 10, 2012 8:24 AM
To: 'Craig Williams'
Cc: Steve Young
Subject: RE: DeMocker
Thanks Craig

Jeffrey Paupore
Deputy County Attorney
(928) 777-7357
255 E. Gurley Street
Prescott, AZ. 86301

Confidentiality Notice: This electronic communication is confidential and is intended only for the stated recipients. The communication may be subject to the attorney client privilege. Attachments to the email, if any, may be subject to attorney client privilege and/or attorney work-product privilege. No waiver of any applicable privilege should be inferred by the inadvertent receipt of this message by an unintended party. You are notified that any disclosure, copying or other use of this document by an unintended recipient is strictly prohibited. Please contact the sender at jeff.paupore@co.yavapai.az.us to report unintended receipt.

From: Craig Williams [<mailto:craigwilliamslaw@gmail.com>]
Sent: Friday, February 10, 2012 8:17 AM
To: Jeff Paupore
Subject: RE: DeMocker

I am trying to be as careful, ethical and timely as I can be. I have been working diligently on the issue. Please be patient for a little while longer.
Craig

From: Jeff Paupore [<mailto:Jeff.Paupore@co.yavapai.az.us>]
Sent: Friday, February 10, 2012 7:19 AM
To: 'Craig Williams'; Steve Young; 'Gregory Parzych'
Cc: Rhonda Grubb
Subject: RE: DeMocker

Craig: We were made aware of the \$44K unpaid bill on Wednesday, February 6. We were aware you were having difficulty with the contract admin to approve funding for this trial. It is my understanding Mr. Curry charges \$250 an hour. The \$44K equates to 176 hours of work?

Jeffrey Paupore

Deputy County Attorney
(928) 777-7357
255 E. Gurley Street
Prescott, AZ. 86301

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From: Craig Williams [<mailto:craigwilliamslaw@gmail.com>]
Sent: Thursday, February 09, 2012 3:45 PM
To: Steve Young; 'Gregory Parzych'
Cc: Jeff Paupore; Rhonda Grubb
Subject: RE: DeMocker

I do not agree that the state was "just made aware of" the funding issue with Curry/Navigant yesterday. Everyone has known for quite some time that it has been a continuing issue, because we filed a motion on it on August 11, 2011. I have been working on the issue since yesterday, and will report back to you when I know something.

From: Steve Young [<mailto:Steve.Young@co.yavapai.az.us>]
Sent: Thursday, February 09, 2012 11:35 AM
To: 'Gregory Parzych'; craigwilliamslaw@gmail.com
Cc: Jeff Paupore; Rhonda Grubb
Subject: DeMocker

Given the issue with your expert Greg Curry that we were just made aware of yesterday and the Court's comments on this issue, we need copies of any all fee agreements that have been executed between Mr. Curry and former and present defense counsel and former and present contract administrators. If there are no such agreements, please make this avowal. If there are such agreements but you refuse to release these documents, please let us know that as well. Your prompt and anticipated cooperation and attention to this request is appreciated.

Steve Young
Deputy County Attorney